

II. REMARKS

A. Introductory Remarks

Reconsideration and allowance of this application is requested. By this Amendment, independent claims 14 and 27 have been amended, and claim 15 has been canceled. Applicants reserve the right to pursue the subject matter of any canceled claims in a continuing application.

B. Rejection of Claims 2-10 and 14-27 Under 35 U.S.C. §103

The Office Action rejected claims 2-10 and 14-27 under 35 U.S.C. §103 as allegedly obvious over U.S. Patent 7,008,554 (“Tsai”) in view of U.S. 6,858,540 (“Sun”). In light of the amendments made to independent claims 14 and 27, Applicants traverse this rejection for the following reasons.

Applicants have amended independent claims 14 and 27 to recite “wherein the removal rate of the metal layer is less than about 250 Å/min.” Tsai does not teach the specific maximum rate of metal removal as now recited in these claims. Accordingly, amended independent claims 14 and 27 are believed to be allowable over Tsai. (Applicants note the removal rate of the metal layer was recited in claim 15 (now canceled) and that the Office Action did not address this limitation.)

Sun also does not teach or suggest all the limitations of amended claims 14 and 27. Specifically, Sun neither discloses the removal rate of the metal oxide nor the removal rate of the metal layer as recited in these claims. Sun also does not teach or suggest the metal removal rates of less than about 250 Å/min as recited in these claims.

Additionally, the combination of Tsai and Sun fails to teach or suggest each and every limitation of claim 14. As discussed above, both Tsai and Sun fail to teach the rate of metal removal. Thus, the combination of Tsai and Sun does not render obvious the subject matter of amended independent claim 14 and 27.

For the foregoing reasons, Applicants request withdrawal of this rejection as to claims 14 and 27 and as to corresponding dependent claims 2-10 and 18-26.

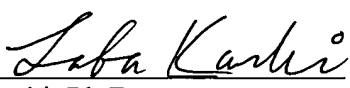
III. Request for Allowance

In view of the amendments and arguments presented above, all pending claims are now believed to be in condition for allowance, an indication of which is solicited. In the event that any issues remain outstanding, Applicants would appreciate the courtesy of a telephone call to the undersigned counsel to resolve such issues in an expeditious manner so as to place this application in condition for allowance.

No additional fees are believed due, other than the separately filed two-month extension fee. However, if any additional fees are determined to be due, the Commissioner is hereby authorized to charge these fees to the Morgan, Lewis & Bockius deposit account no. 50-0310.

Respectfully submitted,

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